



08-18-06

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: PRATHER ET AL.

Attorney Docket No. MW014

Application Number: 10/622,386

Examiner: B. Swenson

Filed: July 17, 2003

Art Unit: 3618

For: SHOPPING CART WITH LOWERED CENTER OF GRAVITY  
AND FRAME THEREFOR

ATTENTION: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.10

EXPRESS MAIL Post Office to Addressee Label No. ED323581298US

Date of deposit in US Postal Service: AUGUST 17, 2006

Sir:

I hereby certify that the following documents are being deposited on the date indicated above with the United States Postal Service in accordance with 37 CFR 1.10 in an envelope bearing an "Express Mail Post Office to Addressee" Label, Label No. ED323581222US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

1. AMENDMENT AND RESPONSE
2. TRANSMITTAL FORM (PTO/SB/21)
3. Pre-addressed, postage pre-paid postcard on which official stamp of the US Patent and Trademark Office is to be placed to show receipt of these documents.

Respectfully submitted on behalf of applicants,

Terrell P. Lewis  
Registration No. 29,227

343 Palos Verdes Boulevard  
Unit #8  
Redondo Beach, CA 90277  
(310) 465-0500



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/622,386
	Filing Date	July 17, 2003
	First Named Inventor	PRATHER
	Art Unit	3618
	Examiner Name	B. SWENSON
	Attorney Docket Number	MW014
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Certificate of Mailing under 37 CFR 1.10
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Pre-addressed, stamped postcard listing documents being submitted.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature	<i>Terrell P. Lewis</i>	
Printed name	TERRELL P. LEWIS	
Date	AUGUST 17, 2006	Reg. No. 29,227

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PRATHER ET AL.

Examiner: B. Swenson

USSN: USSN 10/622,386

Art Unit: 3618

Filing Date: July 17, 2003

FOR: SHOPPING CART WITH LOWERED CENTER OF GRAVITY  
AND FRAME THEREFOR

**AMENDMENT AND RESPONSE**

Commissioner of Patents  
Washington, D.C. 20231

Sir,

This paper is being presented in response to the Examiner's Office Action of May 17, 2006 in which claims 15-21 were found objectionable as having informalities, claims 15-21 and 23 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out, and distinctly claim, the subject matter regarded as the invention, claims 1 and 22 were rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,507,507 to Davidson, claims 1 and 22 were rejected under 35 USC 102(e) as being anticipated by US Patent No. 6,644,674 to Simard, claims 2-14 were indicated as containing allowable subject matter but were objected to as being dependent on a rejected base claim, and claims 15-21 and 23 were indicated as containing allowable subject matter if rewritten or amended to overcome the claim objections and corresponding rejection under 35 USC 112, second paragraph.

Applicants are submitting this paper within the three (3) month statutory period set for response, and therefore no fee is required in connection with this submission.

Applicants respectfully request that the following requested changes to the claims be made, and that the included REMARKS be taken into consideration in arriving at the conclusion that the invention as now claimed defines patentably over the cited art.